

COHEN TAUBER SPIEVACK & WAGNER P.C.

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Joseph M. Vann

Counsel to the Liquidating Trustee for the

Eos Airlines, Inc. Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----	X	
In re:	:	Chapter 11
	:	
EOS AIRLINES, INC.	:	Case No. 08-22581 (RDD)
	:	
Reorganized Debtor.	:	
-----	X	
TURNAROUND ADVISORS, LLC, AS	:	
LIQUIDATING TRUSTEE OF THE	:	
EOS AIRLINES LIQUIDATING TRUST	:	Adv. Pro. No.: 10-08276 (SHL)
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	
PARAGON GLOBAL FLIGHT SUPPORT	:	
LIMITED,	:	
	:	
Defendant.	:	
-----	X	

**APPLICATION TO CLERK FOR JUDGMENT BY DEFAULT AND
SUPPORTING AFFIDAVIT TO THE CLERK OF THE UNITED STATES
BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK**

Pursuant to Rule 7055, Federal Rules of Bankruptcy Procedure, Rule 55(a), Federal Rules of Civil Procedure, and Local Bankruptcy Rule 7055-2, the Clerk of Court is hereby requested to enter judgment by default against defendant Paragon Global Flight Support Limited.

Dated: New York, NY
April 28, 2011

COHEN TAUBER SPIEVACK &
WAGNER P.C.

By: /s/ Zvi S. Rosen
Zvi S. Rosen

420 Lexington Avenue, Suite 2400
New York, New York 10170
Voice: (212) 586-5800
Fax: (212) 586-5095

*Counsel to Turnaround Advisors, L.L.C.,
as Liquidating Trustee for the
Eos Airlines, Inc. Liquidating Trust*

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Zvi S. Rosen, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and am associated with the firm of Cohen Tauber Spievack & Wagner P.C., attorneys for plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.

2. I make this affidavit pursuant to Rule 7055, Federal Rules of Bankruptcy Procedure, Rule 55(b), Federal Rules of Civil Procedure, and Local Bankruptcy Rule 7055-2, in support of plaintiff's application for the entry of a default judgment against defendant.

3. This is an action to recover money owed by defendant to plaintiff for preferential and/or fraudulent transfers.

4. Jurisdiction of the subject matter of this action is based on 28 U.S.C. § 157(a) and 1334(b) and the Standing Order of Referral of Cases to Bankruptcy Court Judges of the District Court for the Southern District of New York, dated July 10, 1984 (Ward, Acting C.J.).

5. This action was commenced on April 23, 2010 by the filing of the complaint. A copy of the summons and complaint was served on the defendant on April 30, 2010 by first class mail, and a certificate of service was filed with this

Court on May 3, 2010. The defendant has not answered the complaint and the time for the defendant to answer the complaint has expired. A copy of the Certificate of Service is attached as Exhibit A.

6. On October 6, 2010, the Clerk of this Court entered a default against the above-captioned defendant. A copy of the Entry of Default against the defendant Paragon Global Flight Support Limited is attached as Exhibit B.

7. This action seeks judgment for the liquidated amount of \$124,533.67, as shown by the annexed Statement at Exhibit C, which is justly due and owing, and no part of which has been paid except as therein set forth.

8. Affiant is attorney of record for plaintiff and has personal knowledge of the facts set forth in this affidavit, and deposes: that the defendant against whom entry of default is requested herein was/were duly served with a copy of the summons and a copy of the complaint on the date and in the manner described in the certification of service appended to the summons returned herein; that the defendant is not in military service, not an infant, and not an incompetent person; that, as required by Rule 7012(a), Federal Rules of Bankruptcy Procedure, more than 30 days have elapsed since the date of issuance of the summons herein on April 27, 2010; that the summons and complaint was properly served on the said defendant on April 30, 2010 by first-class mail, as documented by the enclosed Certificate of Service previously filed with this court; and that said defendant has failed timely to serve an answer as required by Rule 7012, Federal Rules of Bankruptcy Procedure.

WHEREFORE, plaintiff requests the entry of Judgment by default against defendant.

Dated: New York, NY
April 28, 2011


AFFIANT/ATTORNEY FOR PLAINTIFF

Sworn to before me this
28th day of April, 2011


Notary Public

CATERINA MEDICI
NOTARY PUBLIC, State of New York
No. 03-4985674
Qualified in Bronx County
Commission Expires August 26, 2013

EXHIBIT A

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----	X	
In re:	:	Chapter 11
	:	
EOS AIRLINES, INC.	:	Case No. 08-22581 (RDD)
	:	
Reorganized Debtor.	:	
	:	
-----	X	
TURNAROUND ADVISORS, LLC, AS	:	
LIQUIDATING TRUSTEE OF THE	:	
EOS AIRLINES LIQUIDATING TRUST	:	Adv. Pro. No.: 10-08276-RDD
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	
PARAGON GLOBAL FLIGHT SUPPORT	:	
LIMITED,	:	
	:	
Defendant.	:	
-----	X	

CERTIFICATE OF SERVICE

I hereby certify as follows:

A true and correct copy of the ***AMENDED COMPLAINT TO AVOID AND RECOVER PREFERENTIAL AND/OR FRAUDULENT TRANSFERS*** (Docket No. 2) as well as the ***SUMMONS AND NOTICE OF PRETRIAL CONFERENCE IN AN ADVERSARY PROCEEDING*** (Docket No. 3) was caused to be served on the Defendant in the above-captioned action at the address below via first class U.S. Mail or International Mail in a properly addressed envelope with sufficient postage affixed thereto;

President
Paragon Global Flight Support Limited
6th Floor Astral Towers, Betts Way, London Road
Crawley, RH10 9XA
UNITED KINGDOM

This 30th day of April, 2010.

COHEN TAUBER SPIEVACK & WAGNER, P.C.

By: /s Zvi Rosen

Zvi Rosen

420 Lexington Avenue, Suite 2400

New York, New York 10170

Phone: (212) 381-8753

Fax: (212) 586-5095

Email: zrosen@ctswlaw.com

*Counsel to the Liquidating Trustee for
the Eos Airlines, Inc. Liquidating Trust*

EXHIBIT B

United States Bankruptcy Court
Southern District of New York

In Re:

**Eos Airlines, Inc.
Debtor,**

Bankruptcy Case No. 08-22581 (RDD)

**Turnaround Advisors, LLC. as Liquidating Trustee of Eos Airlines Inc. Liquidating Trust
Plaintiff,**

v.

Adversary Proceeding No. 10-08276-rdd

**Paragon Global Flight Support Limited
Defendant**

ENTRY OF DEFAULT

It appears from the record that the following defendant failed to plead or otherwise defend in this case as required by law.

Name:

Paragon Global Flight Support Limited

Therefore, default is entered against the defendant as authorized by Bankruptcy Rule 7055.

Dated: October 6, 2010

/s/ Vito Genna
Clerk of Bankruptcy Court

By: /s/ Arturo Tavarez
Deputy Clerk

EXHIBIT C

<u>Name of Vendor</u>	<u>Payment date</u>	<u>Amount paid</u>
Paragon Global Flight Support	1/29/2008	\$61,228.43
Paragon Global Flight Support	2/7/2008	\$9,968.19
Paragon Global Flight Support	3/14/2008	\$467.66
Paragon Global Flight Support	4/18/2008	\$11,144.39
Paragon Global Flight Support	4/21/2008	\$17,725.00
Paragon Global Flight Support	4/23/2008	\$24,000.00
Paragon Global Flight Support Total		\$124,533.67